

SPEARS & IMES LLP

51 Madison Avenue
New York, NY 10010
tel 212-213-6996
fax 212-213-0849

MEMO ENDORSED

Debra A. Karlstein
tel: 212-213-1715
dkarlstein@spearsimes.com

June 18, 2008

BY FAX (212) 805-6724 AND FIRST CLASS MAIL

Honorable Frank Maas, United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 740
New York, NY 10007

It appears that all of the defendants were served in early May (or earlier). Accordingly, all of the defendants are directed to respond to the complaint by 7/16/08. Since this is an ECF case, any attorney who appears for a party should know about the previously scheduled conference, which is adjourned to July 22, 2008 at 10 AM. Counsel should call Chambers on 7/21 to determine where the PTC will be held.

Re: Automated Teller Machine Advantage LLC v. Moore, et al.
No. 08 Civ 3340 (RMB) (FM)

*Filings, USMD,
6/18/08*

Dear Judge Maas:

We represent defendants Walter Netschi, Danielle Jones, 36 Main Street, LLC, and ATM Capital, Inc. ("Netschi Defendants") in connection with the above-referenced action and write, with the consent of plaintiffs, to request an adjournment of the conference scheduled for June 27, 2008 at 10:00 AM (see attached).

We represent only the four Netschi Defendants. It does not appear that counsel for any of the other defendants were notified about the conference, and we do not know whether they plan to attend.

In addition, although plaintiffs' complaint is dated April 3, 2008, none of the defendants have yet answered or otherwise responded. Plaintiffs' counsel indicated several weeks ago that they were about to be retained by additional parties and that an amended complaint would likely follow. This week, plaintiffs' counsel indicated that an amendment is no longer likely but agreed to an extension of time until July 16, 2008 for the Netschi Defendants to respond to the complaint.

Therefore, in the interests of judicial economy and conserving legal fees for our clients, we respectfully request that the conference be adjourned and that plaintiffs be required to notify counsel for all of the defendants of the new date. Counsel for plaintiffs consents to an adjournment until shortly after July 16, 2008.

Respectfully,

Debra A. Karlstein
Debra A. Karlstein

Enc.

cc: Andrew M. Lankler, Esq. (by email/pdf)
James Versocki, Esq. (by email/pdf)

